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**To:** <rbriggs@swrcb.ca.gov>  
**Date:** 2/5/2006 12:11:22 PM  
**Subject:** Cease and Desist

Roger Briggs  
 Director CCRWQCB

Hello Mr. Briggs;

I am asking for a designated party status for the hearings on the Los Osos cease and desist order. In order to respond adequately in defense of our position certain information requested below will be essential. The latest demands of the CCRWQCB to pump our septic systems 6 times a year will be seen as punitive if not supported by scientific studies and existing data. Porter-Cologne Act, under which you are authorized to operate, punitive action is not considered appropriate. Since home sales will be negatively effected, the discharge to treatment plants also may cause their discharge limit to be violated as 80,000 gpd (seepage is 70,000 m/l N plus BOD and TSS as well as many other household chemicals) will need to go some treatment plant, which I am sure you have permitted accomodation for additional capacity. The cost of pumping seem coincidentally tied the monthly cost of the previously proposed and rejected as inadequate sewer.

It would seem an EIR on these and other impacts such as air pollution and road impacts may be required. Regulatory in the past has given credit to the soil treatment in onsite technologies, as is the case outside the prohibition zone, so please include the credit you give so we may evaluate the whole impact of the process you are ordering. Eminent soil scientist will testify by affidavit that treatment to the treatment that septic systems give in soil treatment after separation of solids and floatables in the tanks.

We haven't seen your rationale behind the pumping regimen other than the assumption or logic which by itself is not scientific if you do not evaluate the impact of destroying the treatment biology by pumping. Are they available in a document? Please supply the data that proves pumping the tanks so often will do more than destroy the treatment process by removing the bacteria. The time it takes to get back up to speed will cause untreated effluent to go into the soil. That needs to be evaluated which I am not certain you have done. You may have a number of studies you based your decision on and they would be helpful in understanding your order. Please e-mail or snail mail them to me as I know you must have some scientific basis for this highly unusual order. Our experts are very interested in an opportunity to evaluate your data.

Please note that the LOCSD has begun the Project Report Process on the improved Waste Water Facilities Plan that will lead to the sustainability of our aquifer and the cleanup we all are seeking.

Thank You,  
 Al Barrow C.A.S.E.  
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Member California Onsite Wastewater Association, Coalition for Low Income Housing and Citizens for Affordable and Safe Environment

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